

ZONING COMMISSION, 2016
September 8, 2016
Work Session – 7:00 P.M

Approved:

I. Chairman called the meeting to order and roll call was taken.

Members present: Chairman Richard Bradner, Scott Meyer, Maryellen Burnham, Joy Kosiewicz, Jim Hower, Emily Hete, Planning Director/Zoning Inspector Bill Funk and Zoning Secretary Nanci Noonan. Tom Flynn was excused.

A. Minutes for June, July and August Work Sessions were moved to be approved by Mr. Meyer; seconded by Mrs. Hete. All in favor.

B. Zoning reports for June, July and August was presented and accepted by Commission.

WORK SESSION

C. New Business: ZC-16-02: Mic-Ric, LLC, 61 N. Cleveland-Massillon Road, asking for rezoning of two and 1/2 parcels from Residential R-3 to Business R-4. Joe Saporito stated for the record the land at 61 N. Cleveland-Massillon Road is owned by Mic-Ric but the land they are requesting the rezoning is behind that on Montrose Avenue. This is reflected in the application. Mr. Vacanti, Land Use Counsel to Buckingham, Doolittle and Burroughs, representing Mic-Ric, LLC. He introduced Joe Saporito, an authorized representative of Mic-Ric, LLC and stated that they are seeking a rezoning, through a map amendment, for property located near the Montrose and N. Cleveland-Massillon Road intersection. Mic-Ric owns the property on the corner that is currently zoned B-4. He stated they are seeking rezoning on some of the adjacent properties that Mic-Ric owns that are currently vacant. The reason for the rezoning request is to allow for the economic viabilities of the subject parcels. The area holds major retail and commercial to the south, office(s) to the west, and an assisted living facility across Montrose Avenue; making these properties ripe for more economically feasible rezoning. Mic-Ric's adjacent property to the west is currently zoned R-4. Mr. Vacanti shared that one of the parcel is split zoned between R-3 and B-4.

Representatives walked the Commission through their exhibits showing the properties at hand; demonstrating the zoning lines. Discussion ensued on the parcels, the size, zoning, and the set-backs, landscape, water retention, parking and potential uses on their conceptual plan. Mr. Saporito explained that they have had discussions with Bob Konstand, Bath's legal counsel, and the Lewis Perry Group to bring this commitment to paper to demonstrate how a potential building would sit within the lot lines and lay of the land. If the property would be rezoned it would be their intention to keep the building as close to Cleveland-Massillon Road as possible and as far as possible away from the residences; and if rezoned it will correspond with the zoning across the street from the buffered zone of the nursing home.

Mr. Chairman asked if they had spoken to any of the neighbors and Mr. Saporito said they have not engaged the closest effected neighbor yet but are planning on corresponding with them. It noted that the yellow shaded area of 21,780 square feet is landlocked and is zoned R-3.

Mr. Vacanti presented that the purpose of the R-3, per the zoning code in Section 501, is to memorialize properties that have older more traditional single family homes. He stated B-4 District, under Section 501, part of the intent, being more restricted, is to protect adjacent residential properties. He presented that since there is no residential structures on these the purpose of the R-3 is not being applied and he feels that the B-4 zoning is actually more appropriate.

Mr. Chairman asked for a site visit as a public meeting where the members, applicant and/or applicant's representatives get together and neighbors walk the property; and if possible have the land staked out according to their conceptual plan, identifying zoning and property lines etc.

Mr. Funk gave an overview of the procedure for the rezoning application.

The Chairman accepted the Mic-Ric, LLC rezoning application.

The Public Hearing was set for Thursday, October 13, 2016, to be tabled to November 10th. Summit County Planning Commission will review case on October 20th. For the site visit, the Zoning staff will provide date options for the site visit and circulate them to the applicant and members.

D. Unfinished Business: None

E. Miscellaneous: None

II. Mr. Chairman adjourned the meeting.

Next meeting to be: Public Hearing: Thursday, October 13, 2016 at 7:00 P.M., Trustee Conference Room.